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FILED

MAY 15 2013

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE PETITION BY
THE DIVISION OF OIL, GAS & MINING
FOR AN ORDER AGAINST NEPHI
SANDSTONE CORPORATION:

- (1) WITHDRAWING OF THE SOMA
QUARRY'S NOTICE OF
INTENTION TO COMMENCE
SMALL MINING OPERATIONS;
- (2) TO FORFEIT THE SURETY AND
CERTIFICATES OF DEPOSIT;
- (3) TO DIRECT THE DIVISION TO
COMPLETE RECLAMATION, AND
AUTHORIZE A CIVIL SUIT TO
RECOVER COSTS FROM NEPHI
SANDSTONE AND SOMA
QUARRY, S/023/0065; AND

TO TAKE ALL OTHER ACTIONS
NECESSARY TO RECLAIM THE LANDS
AT S22, T14S, R3W SLB&M, JUAB
COUNTY, UTAH.

**NOTICE OF COMPLIANCE WITH THE
STIPULATION TO JUDGMENT AND
MOTION TO DISMISS WITH
PREJUDICE**

Docket No. 2012-038

Cause No. S/023/0065

The Utah Division of Oil, Gas and Mining (Division) by and through undersigned counsel, informs the Board of Oil, Gas & Mining (Board) of Nephi Sandstone's successful compliance with the Stipulation to Judgment entered on December 20, 2013. Pursuant to Paragraph 4 of the Stipulation to Judgment, the Division asks the Board to dismiss this cause

against Nephi Sandstone with prejudice and to release all other parties associated with this action from any liability.

Dated this 15th day of May, 2013.



Cameron Johnson

Assistant Attorney General

Counsel for Division of Oil, Gas, and Mining

1594 West North Temple, Suite 300

Salt Lake City, Utah 84114-5801

Telephone: (801) 538-7227

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the forgoing NOTICE OF COMPLIANCE WITH THE STIPULATION TO JUDGMENT AND MOTION TO DISMISS to be personally served or mailed first class mail, postage prepaid, the 15Th day of May, 2013, to:

NEPHI SANDSTONE CORPORATION

C/O BRUCE H. EVANS

P.O. BOX 137

NEPHI, UTAH 84648

LIBERTY MUTUAL SURETY

ATTN: STEPHANI MILLER

P.O. BOX 34670

SEATTLE, WA 98124

ZIONS BANK

ATTN: RAELYNN DANIELS

ONE SOUTH MAIN ST

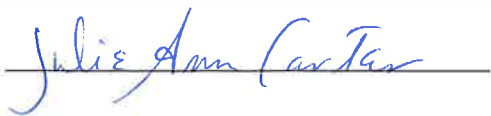
SALT LAKE CITY, UTAH 84133

[VIA EMAIL]

MIKE JOHNSON

ASSISTANT ATTORNEY GENERAL

BOARD OF OIL, GAS & MINING

A handwritten signature in blue ink, reading "Julie Ann Carter", is written over a horizontal line.

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COUNTY, UTAH.

[PROPOSED] ORDER TO DISMISS

Docket No. 2012-038

Cause No. S/023/0065

The Utah Board of Oil, Gas & Mining having reviewed the facts of this matter and the parties' Stipulation to Judgment finds that Nephi Sandstone has complied with its obligations under the Stipulation in a timely and diligent matter. As a result and pursuant to Paragraph 4 of the Stipulation, the Board dismisses the Notice of Agency Action with prejudice and waives all liability for the associated parties in this matter.

DATED this _____ day of May, 2013

James T. Jensen, Chairman

Board of Oil, Gas & Mining

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the forgoing ORDER TO DISMISS to be personally served or mailed first class mail, postage prepaid, the _____ day of May, 2013, to:

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